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Arter & Hadden, LLP
Jurgen K. Vollrath
588 Sutter Street #531
San Francisco, CA 94102

NOV 1 2004

In re Application of:
Vladislav Vashchenko et al. : DECISION ON REQUEST
Serial No.: 09/816,287 : TO REMAIL
Filed: March 21, 2001 :
Attorney Docket No.: 75292/10417 :

This is a decision on the "Request to Remail Office Communication dated 5/28/2003" that was filed on January 26, 2004 and elaborated on in a letter entitled "Statement of Substance of Interview and surrounding facts" filed on June 30, 2004.

The request is granted.

A non-final Office action was mailed to requester on May 28, 2003. Requester asserts this Office action was never received. Instead, as noted in the letter filed on June 30, 2004, applicant received a notice (dated November 19, 2003) from the US Postal Inspection Service on January 15, 2004 advising that certain articles of mail addressed to the requester had been recovered outside postal channels. A copy of the cover letter of the Office action mailed May 28, 2003 was sent to applicant with the notice. Requester provided copies of the notice and cover letter in the request filed on January 26, 2004.

The evidence is sufficient to establish that the non-final Office action originally mailed May 28, 2003 was never received by applicant. As such, the request to remail the Office action starting a new period for response is granted. The Office action will be remailed shortly.

Any inquiries regarding this decision should be directed to Edward Westin at (571) 272-1638.

Edward Westin

Edward Westin, Special Programs Examiner
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components